

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>GREGORY W. SMITH (SBN 134385)</b> <b>LAW OFFICES OF GREGORY W. SMITH</b> <b>9100 WILSHIRE BOULEVARD, SUITE 345E</b> <b>BEVERLY HILLS, CALIFORNIA 90212</b>  TELEPHONE NO.: (310) 777-7894      FAX NO.: (310) 777-7895 ATTORNEY FOR (Name): <b>Plaintiff WILLIAM TAYLOR</b>	<b>FOR COURT USE ONLY</b>  <b>CITY ATTORNEY</b>  <b>2012 APR 30 AM 11:40</b>
INSERT NAME OF COURT, JUDICIAL DISTRICT, AND BRANCH COURT, IF ANY: <b>SUPERIOR COURT OF THE STATE OF CALIFORNIA</b> <b>COUNTY OF LOS ANGELES - CENTRAL DISTRICT</b>	
<b>PLAINTIFF: WILLIAM TAYLOR</b>  <b>DEFENDANT: CITY OF BURBANK, et al.</b>	
<b>MEMORANDUM OF COSTS (SUMMARY)</b>	CASE NUMBER:      DEPT. 50 <b>BC 422 252</b>

The following costs are requested:

	TOTALS
1. Filing and motion fees .....	1. \$ <span style="border: 1px solid black; padding: 2px;">1,274.87</span>
2. Jury fees .....	2. \$ <span style="border: 1px solid black; padding: 2px;">1,261.44</span>
3. Jury food and lodging .....	3. \$ <span style="border: 1px solid black; padding: 2px;"></span>
4. Deposition costs .....	4. \$ <span style="border: 1px solid black; padding: 2px;">5,472.80</span>
5. Service of process .....	5. \$ <span style="border: 1px solid black; padding: 2px;">1,270.00</span>
6. Attachment expenses .....	6. \$ <span style="border: 1px solid black; padding: 2px;"></span>
7. Surety bond premiums .....	7. \$ <span style="border: 1px solid black; padding: 2px;"></span>
8. Witness fees .....	8. \$ <span style="border: 1px solid black; padding: 2px;">30,464.92</span>
9. Court-ordered transcripts .....	9. \$ <span style="border: 1px solid black; padding: 2px;"></span>
10. Attorney fees (enter here if contractual or statutory fees are fixed without necessity of a court determination; otherwise a noticed motion is required) .....	10. \$ <span style="border: 1px solid black; padding: 2px;"></span>
11. Models, blowups, and photocopies of exhibits .....	11. \$ <span style="border: 1px solid black; padding: 2px;">2,548.47</span>
12. Court reporter fees as established by statute .....	12. \$ <span style="border: 1px solid black; padding: 2px;">3,438.00</span>
13. Other (SEE WORKSHEET) .....	13. \$ <span style="border: 1px solid black; padding: 2px;">3,315.78</span>
<b>TOTAL COSTS .....</b>	<b>\$ <span style="border: 1px solid black; padding: 2px;">49,046.28</span></b>

I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

Date: APRIL 26, 2012

GREGORY W. SMITH

(TYPE OR PRINT NAME)

(SIGNATURE)

(Proof of service on reverse)

### MEMORANDUM OF COSTS (SUMMARY)

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:

BC 422 252

PROOF OF ☒ MAILING ☐ PERSONAL DELIVERY

1. At the time of mailing or personal delivery, I was at least 18 years of age and not a party to this legal action.
2. My residence or business address is (specify): 9100 WILSHIRE BOULEVARD, SUITE 345E, BEVERLY HILLS, CALIFORNIA 90212
3. I mailed or personally delivered a copy of the *Memorandum of Costs (Summary)* as follows (complete either a or b):
  - a. ☒ **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope AND
      - (a) ☐ deposited the sealed envelope with the United States Postal Service with the postage fully prepaid.
      - (b) ☒ placed the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows: **SEE ATTACHED MAILING LIST.**
      - (a) Name of person served: **SEE ATTACHED MAILING LIST.**
      - (b) Address on envelope: **SEE ATTACHED MAILING LIST.**
    - (c) Date of mailing: **APRIL 27, 2012**
    - (d) Place of mailing (city and state): **BEVERLY HILLS, CALIFORNIA**
  - b. ☐ **Personal delivery.** I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: APRIL 27, 2012

SELMA FRANCIA

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:

BC 422 252

## MEMORANDUM OF COSTS (WORKSHEET)

## 1. Filing and motion fees

<u>Paper filed</u>	<u>Filing fee</u>
a. <u>COMPLAINT</u>	\$ <u>355.00</u>
b. <u>PITCHESS &amp; DISCOVERY MOTIONS</u>	\$ <u>165.75</u>
c. <u>REPLY BRIEF RE PITCHESS MOTION</u>	\$ <u>16.50</u>
d. <u>STIPULATION &amp; ORDER RE PITCHESS MOTION</u>	\$ <u>40.00</u>
e. <u>GOVERNMENT CLAIM</u>	\$ <u>53.50</u>
f. <u>OPPOSITION TO MOTION FOR SANCTIONS</u>	\$ <u>154.12</u>

g. ☒ Information about additional filing and motion fees is contained in Attachment 1g.TOTAL 1. \$ 1,274.87

## 2. Jury fees

<u>Date</u>	<u>Fee &amp; mileage</u>
a. <u>11-08-2011</u>	\$ <u>150.00</u>
b. <u>03-06-12 THRU 03-09-12</u>	\$ <u>362.48</u>
c. <u>03-12-12 THRU 03-15-12</u>	\$ <u>512.48</u>
d. _____	\$ _____

e. ☐ Information about additional jury fees is contained in Attachment 2e.TOTAL 2. \$ 1,261.44

3. Juror food: \$ \_\_\_\_\_ and lodging: \$ \_\_\_\_\_

TOTAL 3. \$ \_\_\_\_\_

## 4. Deposition costs

<u>Name of deponent</u>	<u>Taking</u>	<u>Transcribing</u>	<u>Travel</u>	<u>Video-taping</u>	<u>Subtotals</u>
a. <u>JOHN MURPHY</u>	\$ <u>641.55</u>	\$ _____	\$ _____	\$ <u>180.00</u>	\$ <u>821.55</u>
b. <u>CINDY MAGNANTE</u>	\$ <u>803.30</u>	\$ _____	\$ _____	\$ <u>538.20</u>	\$ <u>1,341.50</u>
c. <u>JAMES GARDINER</u>	\$ <u>855.50</u>	\$ _____	\$ <u>74.00</u>	\$ _____	\$ <u>929.50</u>
d. <u>MARSHA RAMOS</u>	\$ <u>763.40</u>	\$ _____	\$ _____	\$ _____	\$ <u>763.40</u>

e. ☒ Information about additional deposition costs is contained in Attachment 4e.TOTAL 4. \$ 5,472.80

(Continued on reverse)

Page 1 of 9

## 5. Service of process

	Name of person served	Public officer	Registered process	Publication	Other (specify)
a.	BURBANK POLICE DEPARTMENT	\$ _____	\$ _____	\$ _____	\$ 167.69
b.	CITY OF BURBANK	\$ _____	\$ 40.00	\$ _____	\$ _____
c.	OFFICE OF THE CITY ATTORNEY	\$ _____	\$ _____	\$ _____	\$ 248.54

d. ☒ Information about additional costs for service of process is contained in Attachment 5d.

TOTAL 5. \$ 1,270.00

6. Attachment expenses (specify): .....

6. \$ \_\_\_\_\_

7. Surety bond premiums (itemize bonds and amounts): .....

7. \$ \_\_\_\_\_

## 8. a. Ordinary witness fees

	Name of witness	Daily fee	Mileage	Total
(1)	CAROL HUMISTON	_____ days at _____ \$/day	_____ miles at _____ ¢/mile ....	\$ 39.48
(2)	MICHAEL FLAD	_____ days at _____ \$/day	_____ miles at _____ ¢/mile ....	\$ 39.48
(3)	CRAIG VARNER	_____ days at _____ \$/day	_____ miles at _____ ¢/mile ....	\$ 154.48
(4)	TIMOTHY STEHR	_____ days at _____ \$/day	_____ miles at _____ ¢/mile ....	\$ 41.64
(5)	J.J. PUGLISI	_____ days at _____ \$/day	_____ miles at _____ ¢/mile ....	\$ 154.48

(6) ☒ Information about additional ordinary witness fees is contained in Attachment 8a(6).

SUBTOTAL 8a. \$ 849.92

(Continued on next page)

Page 2 of 9

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:  
BC 422 252

MEMORANDUM OF COSTS (WORKSHEET) (Continued)

8. b. Expert fees (per Code of Civil Procedure section 998)

Name of witness

Fee

- (1) KAREN SMITH \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ..... \$ 14,470.00
- (2) DR. PAUL KIM \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ..... \$ 11,600.00
- (3) DR. SEAN LEONI \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ..... \$ 3,000.00
- (4) DR. STANLEY MAJCHER \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ..... \$ 545.00

(5) ☐ Information about additional expert witness fees is contained in Attachment 8b(5).

c. Court-ordered expert fees

SUBTOTAL 8b. \$ 29,615.00

Name of witness

Fee

- (1) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ..... \$ \_\_\_\_\_
- (2) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ..... \$ \_\_\_\_\_

(3) ☐ Information about additional court-ordered expert witness fees is contained in Attachment 8c(3).

SUBTOTAL 8c. \$

TOTAL (8a, 8b, & 8c) 8. \$ 30,464.92

9. Court-ordered transcripts (specify):

9. \$

10. Attorney fees (enter here if contractual or statutory fees are fixed without necessity of a court determination; otherwise a noticed motion is required):

10. \$

11. Models, blowups, and photocopies of exhibits (specify): TRIAL, EXHIBIT, DUPLICATION

11. \$ 2,548.47

12. Court reporter fees (as established by statute)

a. (Name of reporter): 03-05-12 THRU 03-09-12

Fees: \$ 1,910.00

b. (Name of reporter): 03-12-12 THRU 03-14-12

Fees: \$ 1,146.00

c. ☒ Information about additional court reporter fees is contained in Attachment 12c.

TOTAL 12. \$ 3,438.00

13. ☒ Other (specify): SEE ATTACHMENT 13.

13. \$ 3,315.78

TOTAL COSTS

\$ 49,046.28

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:

MC-025

BC 422 252

ATTACHMENT (Number): 1g.

(This Attachment may be used with any Judicial Council form.)

**PAPER FILED**

**FILING AND MOTION FEES CONTINUED**  
**FILING FEE**

- PITCHESS MOTION RE E. ROSOFF	\$40.00
- PITCHESS MOTION RE J. JETTE	\$40.00
- OPPOSITION TO REQUEST FOR NEW HEARING RE PITCHESS MOTION, ETC.	\$20.00
- OBJECTION TO MOTION TO STRIKE & RESPONSE TO OPPOSITION TO PITCHESS MOTION	\$15.00
- EX PARTE HEARING	\$40.00
- MOTION TO AMEND	\$40.00
- PITCHESS MOTION RE BOBB REPORT	\$40.00
- JOINT STATUS REPORT	\$10.50
- PITCHESS MOTION RE E. ROSOFF	\$40.00
- PITCHESS MOTION RE J. JETTE	\$40.00
- PROPOSED PROTECTIVE ORDER RE PITCHESS MOTIONS	\$20.00
- OPPOSITION TO AUGMENT AND/OR AMEND EXPERT WITNESS LIST	\$20.00
- OPPOSITION BRIEFS RE MOTIONS IN LIMINE NOS. 1, 2, & 5	\$64.50
- PLAINTIFF'S LIST OF STIPULATED FACTS	\$20.00
- MOTION FOR INJUNCTIVE RELIEF	\$40.00

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:

BC 422 252

ATTACHMENT (Number): 4e.

(This Attachment may be used with any Judicial Council form.)

DEPOSITION COSTS CONTINUEDNAME OF DEPONENTTAKING

- TIMOTHY STEHR	\$968.30
- MICHAEL FLAD	\$648.55

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 5 of 9

(Add pages as required)

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:

BC 422 252

## ATTACHMENT (Number): 5d.

(This Attachment may be used with any Judicial Council form.)

SERVICE OF PROCESS CONTINUED

<u>NAME OF PERSON</u>	<u>REGISTERED PROCESS</u>	<u>OTHER</u>
- BURKE WILLIAMS & SORENSON		\$295.59
- RICHARD KREISLER	\$120.00	
- BALLARD ROSENBERG GOLPER & SAVITT		\$160.43
- COLLINS COLLINS MUIR & STEWART		\$17.75
- SOLOMON GRESEN	\$40.00	
- TIMOTHY STEHR	\$90.00	
- JANICE LOWERS	\$90.00	

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 6 of 9

(Add pages as required)



SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:

BC 422 252

## ATTACHMENT (Number): 8a (6).

(This Attachment may be used with any Judicial Council form.)

ORDINARY WITNESS FEE CONTINUED

<u>NAME OF WITNESS</u>	<u>TOTAL</u>
- GERRY MISQUEZ	\$154.48
- SCOTT LACHASSE	\$154.48
- JAMES GARDINER	\$111.40

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 7 of 9

(Add pages as required)

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER:

BC 422 252

ATTACHMENT (Number): 12c.

(This Attachment may be used with any Judicial Council form.)

COURT REPORTER FEES

- 03-15-12

\$382.00

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 8 of 9

(Add pages as required)

SHORT TITLE: WILLIAM TAYLOR v. CITY OF BURBANK, et al.

CASE NUMBER

BC 422 252

ATTACHMENT (Number): 13.

(This Attachment may be used with any Judicial Council form.)

OTHER CONTINUED

- MESSENGER FEES	\$186.00
- TRANSCRIPTIONIST RE IA INTERVIEWS	\$1,499.50
- COURT REPORTER TRANSCRIPTS RE HEARINGS ON 08/30/10 AND 09/27/10	\$52.00
- COURTCALL APPEARANCES	\$216.00
- LOS ANGELES SUPERIOR COURT ONLINE	\$7.50
- FEDERAL EXPRESS	\$54.78
- INTERPRETER & CERTIFICATION FEES RE INTERVIEWS OF DAVID ROMERO AND JOSE ALVARENGA	\$1,300.00

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 9 of 9

(Add pages as required)

PROOF OF SERVICE

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES )

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years of age, and am not a party to the within action; my business address is 9100 Wilshire Boulevard, Suite 345E, Beverly Hills, California 90212.

On the date hereinbelow specified, I served the foregoing document, described as set forth below on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes, at Beverly Hills, addressed as follows:

DATE OF SERVICE : April 27, 2012

DOCUMENT SERVED : **MEMORANDUM OF COSTS (SUMMARY & WORKSHEET)**

PARTIES SERVED : **SEE ATTACHED SERVICE LIST.**

XXX (BY REGULAR MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Beverly Hills, California. I am "readily familiar" with firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

XXX (BY ELECTRONIC MAIL) I caused such document to be electronically mailed to **Christopher Brizzolara, Esq.** at the following e-mail address: samorai@adelphia.net.

XXX (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

— (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

EXECUTED at Beverly Hills, California on April 27, 2012.

\_\_\_\_\_  
Selma I. Francia

**SERVICE LIST**

**WILLIAM TAYLOR v. CITY OF BURBANK  
LOS ANGELES COUNTY SUPERIOR COURT CASE NO. BC 422 252**

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